

ATTACHMENT 1

Comparison of Recreation Districts

Park and Recreation District Ch. 36.69 RCW	Park and Recreation Service Area RCW 36.68.400 - .620	Metropolitan Park District Ch. 35.61 RCW
<p>History</p> <p>Ch. 58 Laws of 1957 authorized class AA counties to establish Park and Recreation Districts. Second, eighth, and ninth-class counties were given similar authority in 1959. No districts were formed under the original Recreation District Act for Counties. According to a 1982 Interagency Committee for Outdoor Recreation (IAC) survey 25 districts were formed after 1970 and ten after 1980. Most were formed to provide general recreation services or were formed solely to finance a new swimming pool or finance an existing one. <i>Recreation Resources: A Heritage for the Future, IAC 1986, Number: 54/56</i></p>	<p>History</p> <p>Ch. 218 Laws of 1963 gave first class counties authority to establish park and recreation service areas in unincorporated areas within the county. In 1965 the authority to was extended to all counties. The ability to fund zoos and aquariums was added in 1985.</p>	<p>History</p> <p>Chapter 98, Laws of 1907 authorized cities of the first class to create metropolitan park districts (MPD). The statutes were amended by Chapter 88, Laws of 2002.</p> <p>Prior to 2002, cities under 5,000 and counties could not create metropolitan park districts. Now all cities and counties may form metropolitan park districts (MPDs) that include territory in portions of one or more cities or counties.</p> <p>The first MPD was formed by Tacoma in 1907. A second district was formed in Yakima around 1945 and functioned until 1969. After the 2002 amendments several MPD's were formed .</p>
<p>Purpose</p> <ul style="list-style-type: none"> • To provide leisure time activities and facilities and recreational facilities, of a nonprofit nature as a public service to the residents of the geographical areas included within their boundaries. (RCW 36.69.010) 	<p>Purpose</p> <ul style="list-style-type: none"> • To finance, acquire construct, improve, maintain, or operate any park, senior citizen activities center, zoo, aquarium, and, or recreational facilities as defined in RCW 36.69.010 which shall be owned or leased, and administered by a city or town, or park and recreation service area. (RCW 36.68.400) • To provide a higher level of park service. (RCW 36.68.590) 	<p>Purpose</p> <ul style="list-style-type: none"> • To provide for the management, control, improvement, maintenance, and acquisition of parks, parkways, boulevards, and recreational facilities.
<p>Government Type</p> <ul style="list-style-type: none"> • Municipal corporation. (RCW 36.69.010) 	<p>Government Type</p> <ul style="list-style-type: none"> • Quasi-municipal corporation and independent taxing authority and taxing district possessing all the usual powers of a corporation for public purposes. (RCW 36.68.400) 	<p>Government Type</p> <ul style="list-style-type: none"> • Municipal corporation (RCW 35.61.040)
<p>Function and Powers</p> <ul style="list-style-type: none"> • Acquire and hold real and personal property; • To dispose of real and personal 	<p>Function and Powers</p> <ul style="list-style-type: none"> • Acquire, construct, own or lease, operate parks, senior citizen activities centers, zoos, aquariums. 	<p>Function and Powers</p> <ul style="list-style-type: none"> • May purchase, acquire and condemn lands within or without the boundaries of park district

<p>property;</p> <ul style="list-style-type: none"> • To make contracts; • To sue and be sued; • To borrow money • To grant concessions; • To make or establish charges, fees, rates, rentals and the like for the use of facilities (including recreational facilities) or for participation; • To make and enforce rules and regulations governing the use of property, facilities or equipment and the conduct of persons thereon; • To contract with any municipal corporation, governmental, or private agencies for the conduct of park and recreation programs; • To operate jointly with other governmental units any facilities; or • To hold in trust or manage public property; • To establish cumulative reserve funds; • To acquire, construct, reconstruct, maintain, repair, add to, and operate recreational facilities; and, • To make improvements or to acquire property by the local improvement method. (RCW 36.69.130) 	<p>and recreational facilities. (RCW 36.68.400)</p> <ul style="list-style-type: none"> • To make contracts. (RCW 36.68.400) • To sue and be sued. (RCW 36.68.400) • May impose and collect charge use fees or other direct charges on facilities financed by the park & recreation area. (RCW 36.68.550) • Legislative authority may allow admission fees and charges on persons using facilities located within a park & recreation service area. (RCW 36.68.550) • May exercise any of the powers enumerated in Ch. 67.20 RCW (Parks, Bathing Beaches, Public Camps.) (RCW 36.68.600) • May enter into contract with any organization referred to in Ch. 67.20 RCW to conduct recreational program. (RCW 67.20.020) • Power to enact and enforce such police regulations not inconsistent with constitution and state laws as necessary for the government and control of the same. (67.20.010 RCW) • May accumulate reserves for stated capital purpose. (RCW 36.68.530) • May hire employees and may fund salaries and benefits of county, city, or town park employees who perform work within the service area. (RCW 36.68.541) • May exercise power of eminent domain. (RCW 36.68.555) 	<ul style="list-style-type: none"> • May issue and sell warrants, short-term obligations, or general obligation bonds • May issue revenue bonds • Can petition for the creation of local improvement districts • May employ counsel, provide for park police officers, secretary of the board, and all necessary employees • May establish civil service for employees • Has power to regulate, manage and control, improve, acquire, extend and maintain, open and lay out, parks, parkways, boulevards, avenues, aviation landings and playgrounds, within or without the park district, • Has power to authorize, conduct and manage <ul style="list-style-type: none"> ◦ the letting of boats, or other amusement apparatus, ◦ the operation of bath houses, ◦ the purchase and sale of foodstuffs or other merchandise, ◦ the giving of vocal or instrumental concerts or other entertainments, ◦ the management and conduct of such forms of recreation or business as it shall judge desirable or beneficial for the public, or for the production of revenue for expenditure for park purposes; • May sell, exchange, or otherwise dispose of surplus property • Can annex territory
<p>Formation</p> <ul style="list-style-type: none"> • By petition signed by not less than fifteen percent of the registered voters residing within the area. The petition shall designate the boundaries or describe the land to be included. It is to set forth the objective and state the benefit of the district. (RCW 36.69.020) • Requires resolution of city or town approving inclusion of the area 	<p>Formation</p> <ul style="list-style-type: none"> • In any unincorporated area by resolution adopted by county legislative body or by petition of 10% of registered voters in area. (RCW 36.68.410) • Contents of petition or resolution to contain: <ul style="list-style-type: none"> ◦ boundaries of the service area ◦ description of the purpose. 	<p>Formation</p> <ul style="list-style-type: none"> • May include territory located in portions or all of one or more cities or counties, or one or more cities and counties, when created or enlarged. • Can be initiated by petition of at least 15 percent of the registered in the area and submitted to the county auditor of each county in which all or a portion of the

<p>with the corporate limits of city or town. (RCW 36.69.030)</p>	<p>or purposes</p> <ul style="list-style-type: none"> o an estimate of the initial cost of any capital improvements or services to be authorized in the service area. (RCW 36.68.420) <ul style="list-style-type: none"> • May include incorporated cities or towns. Requires resolution of city or town approving inclusion of the area within the corporate limits of city or town. (RCW 36.68.610) • Provision for verification of signatures are found in 36.68.430 RCW. 	<p>proposed district would be located. (RCW 35.61.020)</p> <ul style="list-style-type: none"> • Can be initiated by a resolution of the governing body or bodies of each city and/or county which includes a portion or all of the area in the district. • Petition or resolution submitting the question to the voters, shall indicate the choice and describe the composition of the initial board of commissioners of the district that is proposed under RCW 35.61.050 and shall list a name for the district. (RCW 35.61.030)
<p>Feasibility and Cost Studies</p> <ul style="list-style-type: none"> • No requirements noted. 	<p>Feasibility and Cost Studies</p> <ul style="list-style-type: none"> • Upon accepting petition or on passage of resolution the county legislative body orders an investigation of the feasibility of the proposed service area and determines initial costs. A report is to be available within 80 days of accepting the petition. (RCW 36.68.440) 	<p>Feasibility and Cost Studies</p> <ul style="list-style-type: none"> • None required.
<p>State Environmental Policy Act (SEPA) Review</p> <p>Since "creation of a district" is defined by SEPA regulations (WAC 197-11-704(2)(b)(iv)) as a "nonproject action," the proposed establishment of a park and recreation district is subject to SEPA review, which, at a minimum, requires a threshold determination under WAC 197-11-310(1).</p>	<p>State Environmental Policy Act (SEPA) Review</p> <p>Since "creation of a district" is defined by SEPA regulations (WAC 197-11-704(2)(b)(iv)) as a "nonproject action," the proposed establishment of a park and recreation service area is subject to SEPA review, which, at a minimum, requires a threshold determination under WAC 197-11-310(1).</p>	<p>State Environmental Policy Act (SEPA) Review</p> <p>Since "creation of a district" is defined by SEPA regulations (WAC 197-11-704(2)(b)(iv)) as a "nonproject action," the proposed establishment of a metropolitan park district is subject to SEPA review, which, at a minimum, requires a threshold determination under WAC 197-11-310(1).</p>
<p>Hearing</p> <ul style="list-style-type: none"> • The Board of County Commissioners holds a hearing on petition within 60 days of receipt. (RCW 36.69.040) • Following the hearing, the Board designates a name or number of the district and fixes boundaries. (RCW 36.69.050) 	<p>Hearing</p> <ul style="list-style-type: none"> • Within twenty days after the report is available, the county is to hold a hearing on the findings and determine whether the petition is accepted or dismissed. (RCW 36.68.460) • At the conclusion of the hearing, the County legislative body makes its determination for acceptance or dismissal based on the following: <ul style="list-style-type: none"> o Whether service areas objectives fit within framework of the county's park comprehensive plan 	<p>Hearing</p> <ul style="list-style-type: none"> • None required for formation. • Hearing is required for annexation.

	<ul style="list-style-type: none"> ○ and general park policies; ○ Exact boundaries of the service area; ○ Full definition or explanation of improvements to be financed; ○ Whether or not objectives of the service area are feasible; ○ Number or name of service area. ● If satisfactory findings are made by the board of county commissioners, orders an election. If satisfactory findings cannot be made the petition is dismissed. 	
<p>Resubmittal of Petition</p> <ul style="list-style-type: none"> ● No restrictions noted. 	<p>Resubmittal of Petition</p> <ul style="list-style-type: none"> ● If rejected a new petition for the same area cannot be submitted for two years. (RCW 36.68.460) 	<p>Resubmittal of Petition</p> <ul style="list-style-type: none"> ● Not addressed.
<p>Election to Form District</p> <ul style="list-style-type: none"> ● Ballot proposition authorizing the park and recreation district is submitted to voters at next general state election occurring sixty or more days after board fixes boundaries. ● Initial park and recreation commissioners are elected at same election. ● Ballot proposition shall be stated in such manner that the voters may indicate yes or no upon the proposition forming the proposed park and recreation district. (RCW 36.69.070) ● Proposition for initial capital or operational costs can be included at same general election (regular property text, excess levy or GO Bonds and bond retirement levy) to create district. (RCW 36.69.070) 	<p>Election to Form District</p> <ul style="list-style-type: none"> ● If satisfactory findings are made as outlined in RCW 36.68.460, the county legislative authority orders an election of the voters in the proposed service area to take place at the next general election or at a special election held for such purpose. (RCW 36.68.470) ● Ballot proposition form is in RCW 36.68.470. ● Proposition for initial capital or operational costs can be included at same general election (regular property text, excess levy or GO Bonds and bond retirement levy) to create district. (RCW 36.68.480) 	<p>Election to Form District</p> <ul style="list-style-type: none"> ● <i>Where No Boundary Review Board Exists</i> <ul style="list-style-type: none"> ○ Proposition authorizing creation of a MPD shall appear at the next general election, or at the next special election date specified under RCW 29A.04.330 occurring sixty or more days after the last resolution proposing the district is adopted, or the date the county auditor certifies the petition. ○ Where a petition is filed with two or more county auditors, the county auditors shall confer and issue a joint certification ● <i>Where Boundary Review Board Exists</i> <ul style="list-style-type: none"> ○ Notice of the proposal shall be filed with the boundary review board ○ A special election is held on the date specified under RCW 29A.04.330 that is sixty or more days

		<ul style="list-style-type: none"> ○ after approved by boundary review board ○ No Boundary Review Board review required if the proposed district only includes one or more cities • Ballot proposition to contain words: "For the formation of a metropolitan park district to be governed by [insert board composition described in ballot proposition]." "Against the formation of a metropolitan park district." • Election of Commissioners see Election of Five Commissioners At Formation
<p>Passage of Proposition</p> <ul style="list-style-type: none"> • Requires approval by majority of all votes cast. (RCW 36.69.080) 	<p>Passage of Proposition</p> <ul style="list-style-type: none"> • Requires approval by a majority of the voters voting. (RCW 36.68.500) 	<p>Passage of Proposition</p> <ul style="list-style-type: none"> • Requires approval by a majority of the voters voting. (RCW 35.61.040)
<p>Governing Body</p> <ul style="list-style-type: none"> • Board of five commissioners elected from designated districts for staggered, four year terms; election held in conjunction with general election in odd numbered years. (RCW 36.69.090) • Duties are: <ul style="list-style-type: none"> ○ Elect chairman, secretary, and such other officers as it may determine it requires; ○ Hold regular public meetings at least monthly; ○ Adopt policies governing transaction of board business, keeping of records, resolutions, transactions, findings and determinations, which shall be of public record; ○ Initiate, direct and administer district park and recreation activities, 	<p>Governing Body</p> <ul style="list-style-type: none"> • Members of county legislative authority , acting ex officio if within county. If a city or town included, the Park & Recreation Service Area is governed by an interlocal cooperation agreement. If it is a multi-county area, it is governed by interlocal cooperation agreement. (RCW 36.68.400) 	<p>Governing Body</p> <p>The metropolitan park board may be composed in any of the following alternatives:</p> <ul style="list-style-type: none"> • Five commissioners may be elected at the same election creating the district; • For a district located entirely within one city or the unincorporated area of one county, the legislative authority of the city or county may act as the metropolitan park board; or • For a district located in multiple cities or counties, each legislative authority may appoint one or more members to serve as the board. • The governing structure of an existing (before June 13, 2002) metropolitan park district may not be changed without the approval of the voters (RCW 36.61.050) • Vacancies filled in accordance with Ch 42 12 RCW (RCW 35 61 050)

<p>and select and employ such properly qualified employees as it may deem necessary. (RCW 36.69.120)</p> <ul style="list-style-type: none"> • Vacancies filled in accordance with Ch. 42.12 RCW 		<p>(2)). If more than one city or county, may fill vacancy by terms of interlocal agreement (RCW 35.61.050 (4)).</p>
<p>Finance - Revenue Authority</p> <ul style="list-style-type: none"> • Regular property tax levy (maximum of \$0.60 per \$1000 assessed valuation) for a six-year period authorized when 60 percent of the voters in an election vote "yes" with a voter turnout equal at least to 40 percent of those voting in the last general election. Alternatively, as long as the number of "yes" votes is equal to at least 60 percent times 40 percent of the number of people voting in the last general election, the measure will pass. (RCW 36.69.145) • Limit on regular levy: Park and Recreation District will have levy capacity diminished if aggregate of junior and senior taxing district exceeds the \$5.90 limit. (RCW 84.52.043(2)(a)) • Charges, fees, rates, rentals and the like for the use of facilities (including recreational facilities) or for participation. (RCW 36.69.130) 	<p>Finance - Revenue Authority</p> <ul style="list-style-type: none"> • Regular property tax levy (maximum of \$0.60 per \$1000) for a six-year period authorized when 60 percent of the voters in an election vote "yes" with a voter turnout equal at least to 40 percent of those voting in the last general election. Alternatively, as long as the number of "yes" votes is equal to at least 60 percent times 40 percent of the number of people voting in the last general election, the measure will pass. (RCW 36.68.525) • Limit on regular levy: Park and Recreation Service Areas will have levy capacity diminished if aggregate of junior and senior taxing district exceeds the \$5.90 limit. (RCW 84.52.043(2)(a)) • May charge fees or other direct charges on facilities. (RCW 36.68.550) 	<p>Finance - Revenue Authority</p> <ul style="list-style-type: none"> • Two regular property tax levies available - 50 cents/\$1000 assessed valuation and one of 25 cents. They are considered one levy for the purposes of the levy limits in Ch.84.55 RCW, but they have different rankings in the prorationing statute. Levy is permanent. (See Tax Authority on Metropolitan Park District Finance page) • Conduct forms of recreation or business beneficial for the public, or for the production of revenue for expenditure for park purposes (RCW 35.61.130)
<p>Excess Levies and Bonds</p> <ul style="list-style-type: none"> • Annual excess tax levy proposition for operating funds, capital outlay funds, and cumulative reserve funds as authorized by RCW 84.52.052. (RCW 36.69.140) • May issue general obligation debt, equal to one and one-fourth percent of the assessed valuation within the district. Of this 1 1/4 percent, 3/8 percent may be nonvoted (also called councilmanic) debt. The rest must be voted. Sixty percent of those voting must vote "yes" and the voter turnout must be at least 40 percent of that of the last general election. (RCW 36.69.140) • May issue LID bonds. (RCW 36.69.200) 	<p>Excess Levies and Bonds</p> <ul style="list-style-type: none"> • Annual excess tax levy proposition for operating funds, capital outlay funds, and cumulative reserve funds as authorized by 84.52.052 RCW. (RCW 36.68. 520) • May issue voted general obligation debt equal to 2 1/2 of the assessed valuation within the service area. Of this 2 1/2 percent, 3/8 percent may be non-voted (also called councilmanic debt). The rest must be voted. Sixty percent of those voting must vote "yes" and the voter turnout must be at least 40 percent of that of the last general election. (RCW 36.68.520) 	<p>Excess Levies and Bonds</p> <ul style="list-style-type: none"> • Authorized to levy general tax in excess of its regular property tax levy or levies when authorized to do so at a special election. (RCW 35.61.210 and RCW 82.52.052) • May issue general obligation debt in an amount equal to 2 1/2 percent of their assessed valuations. (RCW 35.61.110) Of this 2 1/2 percent, 1/4 percent may be nonvoted (also called councilmanic) debt. (RCW 35.61.100) The rest must be voted. (See Debt on Metropolitan Park District Finance page) • Can petition city for LID improvements (RCW 36.61.220 - 240)

<ul style="list-style-type: none"> • May issue revenue bonds. (RCW 36.69.350) 		<ul style="list-style-type: none"> • May issue revenue bonds (RCW 35.61.116)
<p>Fiscal Administration</p> <ul style="list-style-type: none"> • County treasurer is treasurer of district. (RCW 36.69.150) • All expenditures are paid by warrants drawn by county auditor on county treasurer, pursuant to vouchers approved by the district board. (RCW 36.69.150) • District commissioners must compile an annual budget including all available funds and anticipated income for the ensuing year. Budget may include cumulative reserve for capital purposes. (RCW 36.69.160) • District commissioners must compile an annual budget including all available funds and anticipated income for the ensuing year. Budget may include cumulative reserve for capital purposes. (RCW 36.69.160) 	<p>Fiscal Administration</p> <ul style="list-style-type: none"> • County treasurer is treasurer of service area. • Annual budget required in form prescribed by state auditor. May include cumulative reserve for capital purposes, all available funds and all anticipated income shall be included. (RCW 36.68.530) • May contract with county to administer purchasing. (RCW 36.68.570) • Legislative authority may transfer proceeds from concessions for food and other services accruing to the county from food and other services from park or park facility in park and recreation service area to service area budget. (RCW 36.68.560) • May reimburse county for charges incurred by county current expense fund for expense of service area. (RCW 36.68.570) 	<p>Fiscal Administration</p> <ul style="list-style-type: none"> • County treasurer of the county within which all, or the major portion, of the district lies is the ex officio treasurer the district. The district can designate someone else, if the board has received the approval of the county treasurer (RCW 35.61.180) • Contracts are to be by competitive bidding or Small Works Roster. (RCW 36.61.135)
<p>Adding area - Enlargement</p> <ul style="list-style-type: none"> • Same procedure as creating district and all electors of district and proposed additional territory vote. (RCW 36.69.190) 	<p>Adding area - Enlargement</p> <ul style="list-style-type: none"> • Same procedure as creating the parks and recreation service area, by resolution or petition with vote of all electors in existing area plus proposed addition. (RCW 36.68.620) 	<p>Adding Area - Enlargement</p> <ul style="list-style-type: none"> • Territory by virtue of its annexation to any city that lies entirely within a park district shall be deemed to be within the limits of the metropolitan park district. • Such an extension of a park district's boundaries shall not be subject to review by a boundary review board independent of the board's review of the city annexation of territory. (RCW 35.61.020) • The territory adjoining a metropolitan park district may be annexed into the district upon petition and an election. <ul style="list-style-type: none"> ○ The petition shall define the territory proposed to be annexed and must be signed by twenty-five registered voters, resident within the territory proposed to be annexed, unless

		<ul style="list-style-type: none"> ○ The territory is within the limits of another city then it must be signed by twenty percent of the registered voters residing within the territory proposed to be annexed. (RCW 35.61.250)
<p>Dissolution</p> <ul style="list-style-type: none"> • In the matter provided in Ch. 53.48 RCW relating to port districts. For county with population of 210,000 or more and inactive for five years see Ch. 57.90 RCW. • See procedures outlined in Ch. 36.96 RCW - Dissolution of inactive special purpose districts 	<p>Dissolution</p> <ul style="list-style-type: none"> • In the matter provided in Ch. 53.48 RCW relating to port districts. • See procedures outlined in Ch. 36.96 RCW - Dissolution of inactive special purpose districts 	<p>Dissolution</p> <ul style="list-style-type: none"> • A district may be dissolved by majority vote of members. • Upon dissolution the district's liabilities are prorated, and turn over to the city and/or county to the extent the district was respectively located in each, when: <ul style="list-style-type: none"> ○ (1) Such city and/or county, through its governing officials, agrees to, and petitions for, such dissolution and the assumption of such assets and liabilities, or; ○ (2) Ten percent of the voters of such city and/or county who voted at the last general election petition the governing officials for such a vote. (RCW 35.61.310) • Disincorporation of district located in county with a population of 210,000 or more and inactive for five years, see Chapter 57.90 RCW

Source: Municipal Research and Services Center of Washington